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12 United States of America

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14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,
18 Plaintiff,
19 v.
20 JOSHYMAR ESTRADA,
21 Defendant.

22 CASE NO. 1:22-CR-00149-JLT-SKO
23 STIPULATION REGARDING EXCLUDABLE
24 TIME PERIODS UNDER SPEEDY TRIAL ACT;
25 ORDER
26 DATE: October 19, 2022
27 TIME: 1:00pm
28 COURT: Hon. Sheila K. Oberto

29
30 **STIPULATION**

31 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
32 through defendant's counsel of record, hereby stipulate as follows:

33 1. By previous order, this matter was set for status on October 19, 2022.

34 2. By this stipulation, defendant now moves to continue the status conference until February
35 1, 2023, and to exclude time between October 19, 2022, and February 1, 2023, under 18 U.S.C.
36 § 3161(h)(7)(A), B(iv) [Local Code T4].

37 3. The parties agree and stipulate, and request that the Court find the following:

38 a) The government has represented that the discovery associated with this case has
39 been provided. The government is aware of its ongoing discovery obligations.

40 b) Counsel for defendant desires additional time to confer with his client about a
41 possible resolution, to review discovery, and to otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 19, 2022 to February 1, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 12, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ JESSICA A. MASSEY
JESSICA A. MASSEY
Assistant United States Attorney

Dated: October 12, 2022

YAN SHRAYBERMAN
Counsel for Defendant
JOSHYMAR ESTRADA

1 **ORDER**
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7 IT IS SO ORDERED.
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DATED: 10/13/2022

Sheila K. Oberto
Hon. Sheila K. Oberto
United States Magistrate Judge